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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WADE K. MARLER, DDS, *et al.*,

NO. 2:20-cv-00616-BJR

Plaintiffs,

v.

ASPEN AMERICAN INSURANCE  
COMPANY,

Defendant.

KARA MCCULLOCH DMD MSD PLLC, *et  
al.*,

NO. 2:20-cv-00809-BJR

Plaintiffs,

v.

VALLEY FORGE INSURANCE  
COMPANY, *et al.*,

Defendants.

CABALLERO,

NO. 3:20-cv-05437-BJR

Plaintiff,

v.

MASSACHUSETTS BAY INSURANCE  
COMPANY,

Defendant.

STIPULATION AND PROPOSED ORDER ALLOWING  
PLAINTIFFS TO FILE A SINGLE OMNIBUS OPPOSITION BRIEF  
(Case Nos. 2:20-cv-00616-BJR; 2:20-cv-00809-BJR; 3:20-cv-05437-  
BJR; 2:20-cv-00627-BJR; 2:20-cv-00620-BJR; 2:20-cv-00597-BJR;  
2:20-cv-01176-BJR) - 1

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1 CHORAK, *et al.*,  
2 Plaintiffs,  
3 v.  
4 HARTFORD CASUALTY INSURANCE  
5 COMPANY, *et al.*,  
6 Defendants.

NO. 2:20-CV-00627-BJR

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8 PACIFIC ENDODONTICS, P.C., *et al.*,  
9 Plaintiffs,  
10 v.  
11 OHIO CASUALTY INSURANCE  
12 COMPANY, *et al.*,  
13 Defendants.

NO. 2:20-CV-00620-BJR

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15 NGUYEN, *et al.*,  
16 Plaintiffs,  
17 v.  
18 TRAVELERS CASUALTY INSURANCE  
19 COMPANY OF AMERICA, *et al.*,  
20 Defendants.

NO. 2:20-cv-00597-BJR

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1 LA COCINA DE OAXACA LLC,

2 Plaintiff,

3 v.

4 TRI-STATE INSURANCE COMPANY OF  
5 MINNESOTA,

6 Defendant.

7 NO. 2:20-CV-01176-BJR

8 **STIPULATION**

9 1. Pursuant to this Court's Minute Order dated November 24, 2020 (the "Scheduling  
10 Order"), the seven sets of Insurer-Family Defendants in the above-captioned actions each  
11 responded to Plaintiffs' complaints by filing a motion to dismiss under Fed. R. Civ. P. 12 (the  
12 "Rule 12 Motions") on January 15, 2021.

13 2. The Scheduling Order applied LCR 7(e)(3), limiting each Defendant's motion to  
14 24 pages. Collectively, Defendants' Rule 12 Motions used 147 pages, which was 21 fewer pages  
15 than the 168 pages they were allotted by the Scheduling Order.

16 3. Plaintiffs' oppositions to the Rule 12 Motions are due on February 12, 2021.

17 4. The Scheduling Order similarly provides Plaintiffs with 24 pages for each of their  
18 oppositions to the Rule 12 motions, for a total of up to 168 pages.

19 5. Having reviewed Defendants' Rule 12 Motions, Plaintiffs believe that it will be  
20 most efficient for the parties and the Court if they respond to the Rule 12 Motions by filing a  
21 single omnibus opposition brief in response. Plaintiffs will limit their omnibus opposition brief  
22 to 95 pages, clearly noting which portions of the briefs they are responding to.

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21 *Seattle Symphony Orchestra*

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34 BJR; 2:20-cv-00627-BJR; 2:20-cv-00620-BJR; 2:20-cv-00597-BJR;  
35 2:20-cv-01176-BJR) - 5

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12 4825-0742-0888, v. 2

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